

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID F. KELLY BEY,	:	
Petitioner	:	
	:	No. 1:21-cv-472
v.	:	
	:	(Judge Rambo)
WILLIAM BECHTOLD,	:	
Respondent	:	

ORDER

AND NOW, on this 1st day of April 2021, in accordance with the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Petitioner's motion for leave to proceed *in forma pauperis* (Doc. No. 4) is **GRANTED**;
2. Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** to Petitioner's right to assert his constitutional claims in a properly filed civil rights action;
3. A certificate of appealability **SHALL NOT ISSUE**; and
4. The Clerk of Court is directed to **CLOSE** the above-captioned action.

s/ Sylvia H. Rambo
United States District Judge